

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:16-cv-304-MOC  
(3:97-cr-340-MOC)**

<b>ARNOLD LORENZO PAIGE,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	<b><u>ORDER</u></b>
<b>vs.</b>	)	
	)	
<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Respondent.</b>	)	
<hr/>	)	

**THIS MATTER** is before the Court on Petitioner’s *pro se* Motion for Leave to Supplement Motion to Vacate, Set Aside, or Correct Sentence, filed on June 7, 2021 and Petitioner’s Unopposed Motion to File a Supplement to his § 2255 Motion, filed by Petitioner through counsel on June 17, 2021. (Docs. 16, 17).

Counsel for the Federal Defenders of Western North Carolina appeared in this matter on Petitioner’s behalf on November 22, 2016. (Doc. 4). Because Petitioner is represented by counsel, he may not submit unauthorized *pro se* motions to this Court. There is no constitutional right to “hybrid representation” in which Petitioner can both represent himself and be represented by counsel. McKaskle v. Wiggins, 465 U.S. 168, 183, 104 S.Ct. 944, 79 L.Ed.2d 122 (1984). See also United States v. Penniegraft, 641 F.3d 566, 569 n.1 (4th Cir. 2011). As such, the Court will strike Petitioner’s *pro se* Motion for Leave to Supplement (Doc. 16) as an unauthorized filing.

Following counsel’s appearance, Petitioner submitted a supplement to his initial *pro se* § 2255 motion on December 12, 2016, supplementing his claim under Johnson v. United States, 135 S.Ct. 2251 (2015). (Doc. 8). This matter was then stayed pending the Supreme Court’s decision in Beckles v. United States, No. 15-8544, and United States v. Dimaya, No. 15-1498, and the

Fourth Circuit Court of Appeals' decision in United States v. Ali, No. 15-4433. (Doc. 11). This matter was further stayed on February 9, 2021, pending the Supreme Court's decision in Borden v. United States, No. 19-5410. (Doc. 15). However, the Supreme Court recently issued its decision in Borden on June 10, 2021. As such, the Court will lift the stay in this matter.

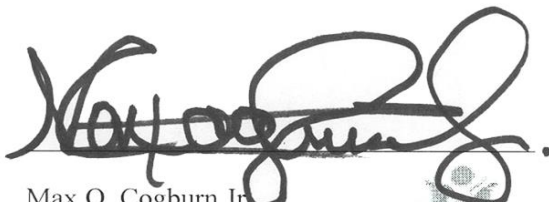
Petitioner, through counsel, moves this Court to allow him to 60 days up to and including August 16, 2021 in which to file an updated supplement to his § 2255 motion detailing recent decisions by the Supreme Court, the Fourth Circuit, and other circuits that have decided numerous cases relevant to Petitioner's claims. (Doc 17). Petitioner's request is unopposed, and the Court will grant the motion. The Government shall file its response to the Petitioner's Motion to Vacate and supplements within 60 days of Petitioner's supplemental filing.

**IT IS, THEREFORE, ORDERED** that:

1. Petitioner's *pro se* Motion for Leave to Supplement Motion to Vacate, Set Aside, or Correct Sentence (Doc. 16) is **STRICKEN** as an unauthorized *pro se* filing.
2. The stay in this matter is hereby **LIFTED**.
3. Petitioner's Unopposed Motion to File a Supplement to his § 2255 Motion (Doc. 17) is **GRANTED**. Petitioner shall file the updated supplement to his § 2255 Motion by August 16, 2021. The Government shall file its response to the Petitioner's Motion to Vacate and supplements within 60 days of Petitioner's supplemental filing.

**IT IS SO ORDERED.**

Signed: August 26, 2021



Max O. Cogburn Jr.  
United States District Judge